

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors:                      Kendell Simm  
   Dale Emis

Serial No.:                      Unknown

Filed:                              :                      Herewith

Title:                              **HYPODERMIC NEEDLE HOLDER**

Priority:                      continuation-in-part of copending U.S. Patent Application No.  
   09/665,636 filed September 19, 2000.

**DECLARATION CLAIMING SMALL ENTITY STATUS**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention set forth in the application identified above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed, or am under an obligation under contract or law to assign, grant, convey, or license, any rights in the invention are identified as follows:

20050727 10045917-010902


> Kendell Simm, an individual

I acknowledge my duty to file, in this application or in any patent issuing thereon, notification of any change resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the issue fee or any maintenance fee due after the date on which the status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

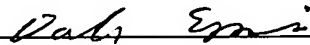
Date:

January 3, 2002

  
Kendell A. Simm, Inventor

Date:

January 7, 2002

  
Dale Emis, Inventor

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**DECLARATION AND POWER OF ATTORNEY**

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As a below named inventor of the invention claimed in the attached application for United States Letters Patent, I hereby declare that:

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated at the end of this declaration next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the invention which is claimed in the attached design application entitled:

**HYPODERMIC NEEDLE HOLDER****INVENTORSHIP CLAIM**

I do not know and do not believe that this invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that this invention was not in public use or on sale in the United States of America more than one year prior to this application, that this invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:

> NONE

## **ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I have reviewed and understand the contents of the attached application, including the specification and claims thereof, and acknowledge our duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a);

## **PRIORITY CLAIM**

I hereby claim foreign priority benefit under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application(s) designating at least one country other than the United States of America, filed by me on the same subject matter as set forth in the attached application, namely:

> None

I hereby claim the benefits under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

> This application is a continuation-in-part of copending U.S. Patent Application No. 09/665,636 filed September 19, 2000.

## **POWER OF ATTORNEY**

As inventor, I hereby appoint the following attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Curt Harrington, Registration No. 31,456  
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Suite 250 Tel: 562-594-9784  
Long Beach, CA 90815 Fax: 562-594-4414

### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

### SIGNATURES

Full name of first inventor: Kendell Simm

Inventor's signature Kendell Simm

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Full name of second Inventor: Dale Emis

Inventor's signature Dale Emis

Date: January 7, 2002 Country of Citizenship: United States

Residence: 12 Poinsettia, Irvine, CA 92604

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